

Applic. No. 10/699,180  
Amdt. dated December 30, 2004  
Reply to Office action of October 6, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claims 1, 4, 6, 7, 9, 12, 19, and 20 have been amended. Claim 3 has been cancelled.

In item 2 on page 2 of the above-identified Office action, claim 5 has been rejected as failing to comply with the enablement requirement under 35 U.S.C. § 112.

More specifically, the Examiner has stated that the specification fails to provide a description of what constitutes a "retarded manner".

Applicants respectfully disagree with the Examiner's comments. The term "retardations" is found in the last paragraph on page 14 of the specification and the term "retarded movement" is found in the second paragraph on page 16 of the specification. Based on the specification it is seen that "retardation" or "retarded movement" is a deceleration or decelerated movement. Accordingly, it believed to be clear that the term "retarded manner" is a decelerated movement or decelerated manner. Therefore, claim 5 has not been amended so as to overcome the rejection.

Applic. No. 10/699,180  
Amdt. dated December 30, 2004  
Reply to Office action of October 6, 2004

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved.

In item 4 on page 2 of the Office action, claims 1, 2, 10, 11, 19, and 20 have been rejected as being fully anticipated by Kerpe et al. (U.S. Patent Application Publication No. US 2001/0026042) (hereinafter "Kerpe") under 35 U.S.C. § 102.

It is appreciatively noted from item 5 on page 2 of the Office action, that claims 3, 4, 6-9, and 12-18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended so as to include the subject matter of allowable claim 3. Therefore, claim 1 is allowable. Since claim 1 is believed to be allowable, dependent claims 2, 10, and 11 are allowable as well.

Allowable claim 6 has been amended so as to include the subject matter of claim 1. Therefore, claim 6 is allowable.

Applic. No. 10/699,180  
Amdt. dated December 30, 2004  
Reply to Office action of October 6, 2004

Allowable claim 7 has been amended so as to include the subject matter of claim 1. Therefore, claim 7 is allowable. Since claim 7 is allowable, dependent claims 8 and 18 are allowable as well.

Allowable claim 9 has been amended so as to include the subject matter of claim 1. Therefore, claim 9 is allowable.

Allowable claim 12 has been amended so as to include the subject matter of claim 1. Therefore, claim 12 is allowable. Since claim 12 is allowable, dependent claims 13-17 are allowable as well.

Claim 19 has been amended so as to include the subject matter of allowable claim 3. Therefore, claim 19 is allowable.

Claim 20 has been amended so as to include the subject matter of allowable claim 3. Therefore, claim 20 is allowable.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Applic. No. 10/699,180

Amdt. dated December 30, 2004

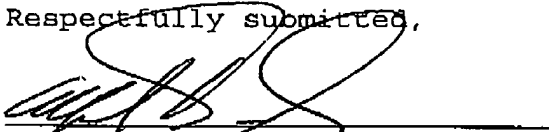
Reply to Office action of October 6, 2004

If an extension of time for this paper is required, petition  
for extension is herewith made.

The fee for four additional independent claims in the amount  
of \$352 is enclosed herewith.

Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &  
Greenberg P.A., No. 12-1099.

Respectfully submitted,

  
For Applicant(s)

Alfred K. Dassler  
52,794

AKD:cgm

December 30, 2004

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101